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U.S. SPECIALTY INSURANCE COMPANY

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

PETER KLEIDMAN,

Plaintiff,

v.

JONATHAN GASKIN; et al.

Defendants.

Case No. 4:22-cv-06355-HSG

**STIPULATION AND ORDER FOR  
EXTENSION AND REVISED BRIEFING  
SCHEDULE ON MOTION TO DISMISS  
AND MOTION FOR SANCTIONS**

Complaint Filed: October 21, 2022

Pursuant to Civil Local Rule 6-2, by and through their respective attorneys of record, Plaintiff PETER KLEIDMAN ("Plaintiff") and Defendants JONATHAN GASKIN, BERNIE MURPHY, MICHAEL MAIDY, TIMOTHY COX, MARTIN PICHINSON, SHERWOOD PARTNERS, INC, U.S. SPECIALTY INSURANCE COMPANY and LESLIE QUIST (the "Initial Defendants"), hereby stipulate and request that the Court extend by seven (7) days the deadline for plaintiff Kleidman to respond to U.S. Specialty's Motion for Sanctions [ECF No. 60)] and extend by six (6) days the deadline for plaintiff Kleidman to respond to U.S. Specialty's Motion to Dismiss the Amended Complaint [ECF No. 69], such that both oppositions will be due on May 1, 2023, and similarly extend the deadline for Defendants' replies from May 9 and May 15, 2023, respectively, to May 19, 2023.

**STIPULATION**

WHEREAS, the present briefing schedule on U.S. Specialty's motion for sanctions requires plaintiff Kleidman's opposition to be filed on April 24, 2023 and U.S. Specialty's reply to be filed on May 15, 2023;

WHEREAS, the present briefing schedule for the Initial Defendants' motions to dismiss the amended complaint requires plaintiff Kleidman's opposition to be filed on April 25, 2023 and replies to be filed on May 9, 2023;

WHEREAS, Defendant U.S. Specialty seeks a modest extension of the reply brief dates on the grounds that effective as of the end of April 2023, counsel for U.S. Specialty will be leaving Clyde & Co as part of a group that will be starting their own law firm, and that the process of completing the move and commencing operations will have a significant short-term impact upon counsel's schedule and availability;

WHEREAS, in order to coordinate the briefing schedules and where possible consolidate Defendants' responses, the parties have agreed to extend the briefing schedule by seven (7) days for the Motion for Sanctions [ECF No. 60] and by six (6) days for the Motion to Dismiss the Amended Complaint [ECF No. 69] such that plaintiff Kleidman's oppositions to both motions will be due on May 1, 2023 and all replies will be due on May 19, 2023;

WHEREAS, the only other extensions of time in this case were the stipulated extensions of the deadline for Initial Defendants to answer, move or otherwise respond to the Complaint [ECF Nos. 19, 21], an extension of time for Plaintiff to respond to the motion requesting that he be declared a vexatious litigant [ECF No. 41]; a stipulated briefing schedule with respect to the motion to dismiss the amended complaint [ECF No. 54]; and a stipulated briefing schedule with respect to U.S. Specialty's motion for sanctions [ECF No. 67].

WHEREAS, the above requested extension would not affect the hearing date on Initial Defendants' motion(s) to dismiss, motion for sanctions, or any other dates in this case;

NOW, THEREFORE, based on the foregoing, the parties hereby stipulate and move the Court for an order extending the deadline for plaintiff Kleidman to respond to the motion to dismiss [ECF No. 69] from April 25, 2023 to May 1, 2023, with Defendants' reply due on May

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19, 2023, extending the briefing schedule by ten days, and further extend plaintiff Kleidman's deadline to respond to the Motion for Sanctions [ECF No. 60] from April 24, 2023 to May 1, 2023, with Defendants' reply due on May 19, 2023, extending the briefing schedule by four days.

**IT IS SO STIPULATED, SUBJECT TO COURT APPROVAL.**

Dated: April 17, 2023

Respectfully submitted,

By: /s/ Joseph A. Bailey III  
Alec H. Boyd  
Joseph A. Bailey III (admitted pro hac vice)<sup>1</sup>  
CLYDE & CO US LLP  
*Attorneys for Defendant*  
*U.S. Specialty Insurance Company*

Dated: April 17, 2023

/s/ Peter Kleidman  
Peter Kleidman  
IN PRO PER  
*Plaintiff*

Dated: April 17, 2023

/s/ Steve Kaufhold  
Steve Kaufhold  
KAUFHOLD GASKIN GALLAGHER LLP  
*Attorney for Defendant Jonathan Gaskin*

Dated: April 17, 2023

/s/ Alan Martini  
Alan Martini  
SHEUERMAN, MARTINI, TABARI, ZENERE &  
GARVIN, P.C.  
*Attorney for Defendant Leslie Quist*


Dated: April 17, 2023

/s/ Matthew J. Olson  
Matthew J. Olson  
DORSEY & WHITNEY LLP  
*Attorney for Sherwood Partners, LLC; Bernie Murphy; Martin Pichinson; Michael Maidy; Timothy Cox*

<sup>1</sup> Pursuant to Civil Local Rule 5-1, the filing attorney certifies that he or she has on file original signatures (in the form of email authorizations) for any signatures indicated only with a conformed signature.

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED**

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3 DATED: 4/18/2023

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6 The Honorable Haywood S. Gilliam Jr.  
7 United States District Judge  
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